

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

## CAROL SUE CORNELIS.

Civil No. C08-5613RBL-JKA

Plaintiff,

vs.

## ORDER AND JUDGMENT FOR REMAND

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

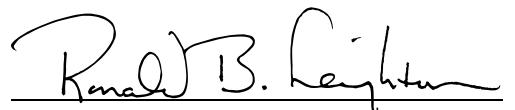
## Defendant

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the ALJ shall hold a de novo hearing. The ALJ shall re-assess the opinions of Daniel M. Neims, Psy.D., and Jan Lewis, Ph.D., and explain the weight given to those opinions. The ALJ shall also consider the lay statement of Carolyn Sue Capes in accordance with SSR 06-03p, and re-assess the claimant's credibility and residual

1 functional capacity. If necessary, the ALJ shall obtain vocational expert testimony.  
2 Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412(d), upon  
3 proper request to this Court.  
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5 JUDGMENT is entered for Plaintiff, and this case is closed.  
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12 DATED this 17<sup>th</sup> day of March, 2009.  
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RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE

Recommended for Entry  
this 12<sup>th</sup> day of March, 2009.

/s/ *J. Kelley Arnold*  
UNITED STATES MAGISTRATE JUDGE

Presented by:

/s/ MATHEW W. PILE WSB #32245  
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Attorney for Defendant  
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